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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,301	07/27/2001	Roberto A. Macina	DEX-0188	8552

26259 7590 12/03/2002

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EXAMINER

HOLLERAN, ANNE L

ART UNIT	PAPER NUMBER
1642	92

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice to Comply With Sequence Rules	Application No.	Applicant(s)
	09/806,301	MACINA, ROBERTO A.
	Examiner Anne Holleran	Art Unit 1642

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 8230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

3. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has not been submitted as required by 37 C.F.R. 1.821(e).

4. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has been submitted. However, the content of the CRF does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

5. The Computer Readable Form (CRF) that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute CRF must be submitted as required by 37 C.F.R. 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the Computer Readable Form (CRF) of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: Sequence listing does not contain all sequences listed in Specification

Applicant Must Provide:

An initial or substitute copy of the CRF "Sequence Listing".

An initial or substitute **paper copy** of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and CRF copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Art Unit: 1642

1. The response to the restriction requirement, filed 8/13/2002, is acknowledged. However, upon further review, the application does not comply with the Sequence Rules.

2. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant's attention is drawn to the following:

The paper copy and CRF of the Sequence Listing contain two sequences. However, the case contains more than two sequences, see for example Figure 6. These sequences must appear in the paper copy and CRF for the case to be in compliance with the sequence rules. Applicant is advised to review the specification to ensure that all sequences are included in the sequence listing.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication should be directed to Examiner Holleran, Art Unit 1642, whose telephone number is 703 308-8892.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

AH
Anne Holleran
Patent Examiner
November 19, 2002

AP
ATTACHMENT
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